

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Tempo Networks, LLC,

Plaintiff,

-against-

Cable & Wireless Jamaica
Limited,

Defendant.

)
) Civil Action No. 08 CV 2422 (PKL) (AJP)
) ECF Case
)
) **JOINT STIPULATION AND [PROPOSED]**
) **ORDER WITHDRAWING MOTION TO**
) **DISMISS, STAYING ACTION, AND SETTING**
) **TIME TO RESPOND TO PLAINTIFF'S FIRST**
) **AMENDED COMPLAINT FOLLOWING STAY**
)
)
)

WHEREAS, Tempo Networks LLC ("Plaintiff") filed its Complaint on March 10, 2008 (dkt. no. 1).

WHEREAS, Cable & Wireless Jamaica Limited ("Defendant") filed a motion to dismiss Plaintiff's Complaint on May 1, 2008 (dkt. no. 8).

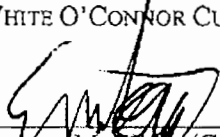
WHEREAS, Plaintiff filed its First Amended Complaint on May 16, 2008 (dkt. no. 14).

NOW THEREFORE, it is hereby stipulated and agreed by and between the undersigned counsel of record that:

1. Defendant's pending motion to dismiss is withdrawn without prejudice and without cost to any party.
2. All proceedings in this action are stayed until June 9, 2008.
3. Defendant shall answer, move or otherwise respond to Plaintiff's First Amended Complaint on or before ten (10) days after the stay is lifted (June 19, 2008).
4. Plaintiff's reply to any counterclaims asserted by defendant shall be served on or before twenty (20) days after Defendant's response to Plaintiff's First Amended Complaint (July 9, 2008).
5. This stipulation may be executed in counterparts by facsimile or email, and a copy of this stipulation is equivalent to an original.

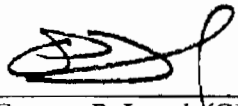
[SIGNATURES ON NEXT PAGE]

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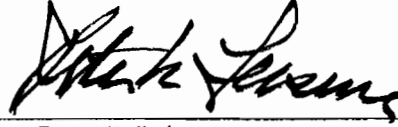
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IT IS SO ORDERED.

DATED: 5/29/08



Hon. Peter K. Leisure
United States District Judge



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